

and that their visas applications were clearly not sufficient under the law—the Department adamantly refused to tighten visa procedures and only began interviewing all non-immigrant applicants between the ages of 12 and 70, including Saudi citizens, in July of 2002—a full ten months after the terrorist attacks.

Although Saudi Arabia was and is considered a U.S. ally, it was the responsibility of the Consular Affairs assistant secretary to know, even before 9/11, the Saudi-terrorism connection and how it might have been present among individuals trying to get into the U.S. The Commission report should have made this connection, but it did not. It found no real fault of Consular Affairs in this regard.

As I mentioned at the outset, I hope you will use my findings to advance constructively the final report of the 9/11 Commission. I believe that if you are going to provide an accurate picture to the American public about what caused the tragic events of September 11, you must place greater emphasis on our government's approach to visa processing and its compliance with immigration law in this regard, and on processing in Saudi Arabia in particular. As important as it is to examine the intelligence failures before 9/11, it is no less important to discuss how simple enforcement of the law would have prevented at least 15 of the 19 9/11 terrorists from being in the United States on that tragic day.

Sincerely,

JON KYL,  
U.S. Senator.

U.S. SENATE,  
Washington, DC, April 23, 2004.

The Hon. SLADE GORTON,  
Member National Commission on Terrorist Attacks Upon the United States, Washington, DC.

DEAR SLADE: I write to convey how important I believe it is that the 9/11 Commission focus on the State Department's, and to a lesser degree, Immigration and Naturalization Service's, contribution to the dysfunction of our government before September 11.

It is clear to me that the State Department's Office of Consular Affairs, headed then by Mary Ryan, was utterly ineffective in making sure U.S. security interests were protected. Having read Ms. Ryan's January 24, 2004 testimony before the Commission and her responses to its questions, I have concluded, that, even today, she does not understand that, if U.S. laws related to the processing and approving of visa applications had been followed, September 11 could have been prevented.

Section 214(b) of the Immigration and Naturalization Act presumes that an alien who applies for a temporary visa actually intends to stay here permanently "until [the alien] establishes to the satisfaction of the consular officer" that he only intends to come here temporarily. The State Department should not deem an applicant as having established his intent until all processes related to the visa are complete and until a face-to-face interview has been conducted. Before September 11, consular officers were allowed to regularly approve temporary visa applications even when applications were incomplete and no face-to-face interviews were conducted.

On January 24, in response to a question from Commissioner Gorelick about "how and in what circumstances the hijackers got into this country," Mary Ryan declared that consular officials "adjudicated the visas correctly." This is simply false. At a minimum, the applications of the hijackers were incomplete. All 19 had omissions and inconsistencies on their visa applications that should

have raised concerns about why they wanted visas (see Mowbray article enclosed). Additionally, personal interviews should, in my view, have been required of all intending immigrants in order for the State Department to have been in compliance with 214(b). Consular Affairs, contrary to its initial statements about this matter, failed to personally interview 13 of the 15 terrorists who were from Saudi Arabia.

Since these processes were not successfully completed, the visas, by law, should have been denied.

In October 2002, Senator Feinstein and I, as ranking member and chairman of the Judiciary Subcommittee on Terrorism, wrote to Secretary of State Powell to impress upon him that the manifest weaknesses of our nation's visa system contributed, and will continue to contribute, to the risk of terrorism against the United States and its citizens. I enclose for your review our letter, a list of 20 additional questions we submitted to Secretary Powell about visa processing, and the State Department's answers. As you will see from its answers, the Department refuses to acknowledge that, if it had exercised its obligations under the law, and refused visas to the terrorists, September 11 might have been prevented.

Enclosed as well is a copy of the additional views Senator Roberts and I appended to the December 2002 Intelligence Committees' Joint Inquiry Staff Report. In our statement, we make clear that these deficiencies, and an evident unwillingness to make existing State Department security mechanisms work properly, contributed to the tragedy.

I also urge you to review the exchange Ms. Ryan had with Commissioners Ben-Veniste and Lehman wherein she shows a lack of comprehension that special treatment of Saudis seeking U.S. visas simply should not have occurred, given the prevalence in Saudi Arabia of Wahhabism, a virulently anti-American strain of Islam. I enclose, in addition, articles by investigative reporter Joel Mowbray that provide details about State Department activities, and particularly about the issuance of visas to Saudi citizens. The State Department's presumption that most Saudis were eligible for visas was inexcusable and, I believe, definitively contributed to the terrorist attacks on our nation.

Bottom line: 9-11 could have been prevented if State Department officials had done their job. What are we doing to ensure they do so in the future?

Sincerely,

JON KYL,  
U.S. Senator.

#### AMERICAN MUSIC MONTH

Mr. ALEXANDER. A few years ago, a New York Times story reported that "Lamar Alexander grew up in a lower, middle class family in the mountains of East Tennessee." The article so offended my mother I found her reading Thessalonians to help deal with what she regarded as a "slur on our family."

"We never thought about ourselves that way," she told me. "You had a library card from the day you were three and a music lesson from the day you were four. You had everything you needed that was important."

I was 4 years old in Maryville, TN, a town of about 10,000 then, when my mother took me to Maryville College to learn how to play the piano. One of the college professors loaned us a battered upright piano which sat in our living room for several years. Every

day before school, I would bang away on Czerny, Bach, Beethoven and Mozart—and throw in a little Jerry Lee Lewis when I thought no one was around to correct me.

I participated in annual piano contests sponsored by the National Federation of Music Clubs. I played in the Maryville High School band and played piano at revival meetings while my father—who had a beautiful tenor voice—led the singing.

After working during the day as a law clerk in New Orleans for Judge John Minor Wisdom I played trombone, tuba and washboard in the band at Your Father's Moustache on Bourbon Street to earn a little extra money.

When I walked across the State in a winning campaign for Governor I took four students from the University of Tennessee marching band with me. We performed as Alexander's Washboard Band dozens of times from the back of a flatbed truck.

As Governor, I could think of only one way to unify our State that was made up of so many different climates, political beliefs and people, and that was our music. From the Carter family in Bristol, to Music City in Nashville, to the blues and gospel of Beale Street in Memphis. Tennessee can be said to be the home of American music.

As Education Secretary in the first Bush administration I was asked to be the Republican speaker at the annual Gridiron Dinner, a press gathering where public careers are made or broken. When I found that Texas Governor Ann Richards was the Democrat speaker I decided that was not a contest I was likely to win. So instead of speaking, I wrote some lyrics to country music songs and sang and played the piano.

Music has been throughout my life a source of inspiration and joy. I suspect that is true for most Americans. It is a rare American who does not have some story about how music has made our lives richer and more interesting, how it has changed our moods, brought out the best in our character and even sometimes helped us earn a living.

So I am proud to join with the Senator from Illinois and co-sponsor this important resolution declaring American Music Month. Our music is an integral part of the American character, and we should celebrate it.

#### NO CHILD LEFT BEHIND

Mr. ENZI. Mr. President, I would like to congratulate the educators, administrators, parents, and children of my home State of Wyoming. Since the implementation of No Child Left Behind in 2001, our students have increased their test scores, proving that our schools are taking the adequate steps needed to ensure academic proficiency for all students, including those who are disadvantaged. The basis of No Child Left Behind is simple. It says that every 4th grader should be able to read, and do mathematics at a 4th

grade level; every 8th grader at an 8th grade level, and every 11th grader at an 11th grade level. But making it work calls for the hard work and dedication of all individuals involved with education—from the parents to the teachers, to the legislators and administrators. By putting the children first, our schools are making the progress needed for students to perform at their intended level, which will help them excel later in life.

The 2004 results of the WyCAS, our State's assessment, show that 47 percent of fourth graders in Wyoming tested as advanced or proficient in reading, 40 percent in writing, and 39 percent in mathematics. While there is still room for improvement, all three are increases from last year's scores of 44, 37, and 37 percent respectively. In addition, 57 percent of the 8th grade students tested as advanced or proficient in writing, almost a 10-percent increase from the previous year, when they scored 48 percent.

A few schools that made tremendous growth this year should be especially proud of themselves. Moorcroft Junior High now has 81 percent of their students proficient in writing as compared to only 38 percent last year. Sundance Junior High also produced exceptional results in math, with 74 percent of their students performing at proficient or advanced level, compared to 39 percent last year.

Improvements have not only been made from last year to this year but over time as well. The 11th graders, who took the WyCAS as 8th graders in 2001, improved their mathematics scores from 32 percent being advanced or proficient to 44 percent. In reading, the results were similar. They jumped from 39 percent as 8th graders to 50 percent as 11th graders.

The results are a good indication that our students are learning and our teachers are working hard to leave no child behind. I am pleased with Wyoming's dedication to education, and I look forward to learning the results of other indicators that No Child Left Behind uses to assure schools are making adequate yearly progress. I encourage Wyoming schools to keep up the good work and continue to put the children first.

#### SPEECH TO THE UNITED NATIONS BY TASSOS PAPADOPOULOS, PRESIDENT OF CYPRUS

Ms. SNOWE. Mr. President, I rise today to speak about the importance of continuing every effort to help achieve a workable and lasting peace for the people of Cyprus.

I would like to read some of the comments recently delivered by Cypriot President Tassos Papadopoulos in his recent address to the United Nations General Assembly.

As President Papadopoulos told members of the General Assembly:

Surely the aspiration of humanity revolves around achieving the full respect of human

rights, democracy, and the rule of law. The collective vision and effort required to fulfill this massive endeavor demands the contribution of all, to the extent of their capabilities.

The President further stated:

We are committed and dedicated to a bizonal, bicomunal federal solution that would bring about the reunification of our homeland which would be workable, viable and make a reality the gradual rapprochement of the communities in Cyprus, the social and economic reunification and which will not institute the division of the communities and institutions.

Cyprus' European Union accession marks a great milestone and the beginning of a new era for the people of Cyprus.

Cyprus and the United States are bound together by common democratic traditions, values, ideas and interests. We have a history of working together effectively to fight threats to global security. We in the United States must continue to push for a peace plan that will be acceptable to the people of Cyprus.

I am firmly convinced that the people of Cyprus want peace. The road to peace will only come through a plan that is fair and that is workable. I join with the leadership of the Greek American national organizations in their commendable efforts to move the peace process ahead in a positive and constructive way.

I ask unanimous consent to print the RECORD, the recent address by the President of Cyprus, Mr. Tassos Papadopoulos to the General Assembly of the United Nations.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ADDRESS BY THE PRESIDENT OF THE REPUBLIC OF CYPRUS, MR. TASSOS PAPADOPOULOS, AT THE GENERAL ASSEMBLY OF THE UNITED NATIONS, SEPTEMBER 23, 2004

Mr. President, I wish to start by conveying to you my most sincere congratulations on your election as President of this session of the General Assembly and wish you every success in steering the work of this august body. I would also like to extend our thanks and appreciation to the President of the 58th Session of the General Assembly, especially for his inspired efforts to promote so vigorously the agenda of United Nations reform and the revitalisation of the General Assembly.

As this is the last Session of the General Assembly ahead of the 2005 Major Event, we must proceed to evaluate the prospect of attaining the ambitious targets we set at the turn of the Millennium. Determining a hierarchy in our priorities and identifying and pursuing specific targets, has been a major step in fostering the values, principles, and objectives embodied in the Millennium Declaration. The Major Event, however, will be the first real assessment of our progress towards the implementation of the Declaration and of the outcome of major world Conferences, and of initiatives such as the one launched by the Presidents of Brazil, France, Chile and the Prime Minister of Spain to eradicate poverty and hunger, as well as the initiative of the Presidents of Finland and Tanzania on the social dimension of globalisation.

Specifically with regard to the Millennium Development Goals, we believe that the ability to make development on the ground an

issue of global concern as a result of these pledges, will measure the ability of the United Nations to induce significant change and advances where they are most needed. At the same time, the achievement of these objectives, which form an essential part of the Millennium Declaration, will judge to a great extent the efficacy of the United Nations in pursuing successfully a global and comprehensive agenda, which pertains to the prosperity of the population of a significant number of its member states.

The Republic of Cyprus supports the strengthening of the United Nations system through the reform process underway, and looks forward to the Report of the High-Level Panel and the recommendations of the Secretary-General. We attach particular importance to the revitalisation of the General Assembly and to the reform of the Security Council, so that, its structure will reflect contemporary political realities and a more balanced geographical representation. In the spirit of these two principles and with the aim of reinforcing the legitimacy and efficacy of the Council, Cyprus is supportive of increasing both permanent and non-permanent membership. In this respect, we believe that the joint French and German position on the enlargement of the Council could provide a basis for achieving the above mentioned objectives.

We share the assessment of the Secretary-General in his Report that our endeavour of consolidating effective multilateralism in a flexible and versatile United Nations, is the best way to address the complete spectrum of global crises and ensure that there exist preventive mechanisms to avert each one. Such consolidation also applies to security deficits and particularly terrorism the underlying causes of which, we have been unable to eliminate despite our concerted efforts. We consider that the conclusion of a United Nations comprehensive convention against terrorism is important in order to facilitate the elimination of the threat posed by terrorism, in the framework of international legality.

Addressing other deficiencies in the international system, particularly the ones which give rise to crisis situations and humanitarian disasters, should also be considered a matter of both urgency and priority. Darfur is one such crisis, which, following many others like it, keeps Africa at the heart of our concerns. It manifests why we should not only focus the majority of our humanitarian resources and peace-keeping efforts to it but why we should make every possible effort to make sustainable development a global reality. We welcome also the expanding co-operation between the United Nations and regional Organisations, which we consider to be the most effective method of addressing such issues. Of course, we attach particular significance to the collaboration between the United Nations and the European Union in managing crisis situations.

The Middle East is another region which remains volatile despite growing global concern and in spite of many attempts to restore the Peace Process in the Israeli-Palestinian conflict. So long as violence remains a vivid reality in the region it will not be possible to create those conditions under which peace building can be accomplished. We deem necessary a more active involvement of the Quartet in the efforts to implement the road map and intercept the cycle of violence. More emphasis should also be given to the task of improving living conditions in order to normalise people's lives to the greatest possible extent. Our support remains focused on the end of the occupation and on a just and viable settlement, based on UN Resolutions and for the realisation of the aspirations of the Palestinian people for the